

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

UNIVERSITAS EDUCATION, LLC	:	CIVIL ACTION NO.
	:	11-CV-1590-LTS-HBP
Petitioner,	:	
	:	
V.	:	
	:	
NOVA GROUP, INC., as Trustee, Sponsor	:	
And Named Fiduciary of the CHARTER OAK	:	
TRUST WELFARE BENEFIT PLAN,	:	
	:	
Respondent.	:	March 27, 2012

**MOLLY CARPENTER'S MEMORANDUM OF LAW**  
**IN OPPOSITION TO APPLICATION FOR TEMPORARY**  
**RESTRAINING ORDER, TURNOVER OF INSURANCE PROCEEDS**  
**AND IMPOSITION OF CONSTRUCTIVE TRUST**

This Memorandum is submitted by Molly Carpenter in opposition to Petitioner's Application for Temporary Restraining Order, Turnover of Insurance Proceeds and Imposition of Constructive Trust dated March 5, 2013 (Docs. 219, 222 and 223) ("the Application"). The Application seeks an Order, pursuant to Fed.R.Civ. P. 69 and N.Y. CPLR § 5225, to turn over to Universitas the insurance claim proceeds that are to be paid by third party USSA Insurance to Moonstone Partners LLC, Daniel Carpenter and/or Molly Carpenter and to impose a constructive trust on the insurance proceeds in favor of Universitas.

Molly Carpenter opposes the Application and adopts the arguments of Daniel Carpenter and Moonstone Partners LLC in their Memorandum in Opposition (Doc. 234) dated March 27, 2013.

Respectfully submitted,  
Molly Carpenter

By: /s/ Dan E. LaBelle  
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His Attorney

**CERTIFICATION**

I hereby certify that on March 27, 2013, a copy of the foregoing Memorandum was filed electronically. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system. Parties may access this filing through the court's system.

/s/Dan E. LaBelle

Dan E. LaBelle